

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 856

Introduced by Janssen, 15.

Read first time January 11, 2010

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the state highway system; to amend section
2 39-1359, Reissue Revised Statutes of Nebraska; to provide
3 for rules and regulations regarding memorials in the
4 right-of-way; and to repeal the original section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 39-1359, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 39-1359 (1) The rights-of-way acquired by the department
4 shall be held inviolate for state highway and departmental
5 purposes, and no physical or functional encroachments, structures,
6 or uses shall be permitted within such right-of-way limits, except
7 by written consent of the department.

8 (2) The department shall adopt and promulgate rules
9 and regulations regarding size, distance from the roadway, and
10 other safety concerns governing the installation, maintenance, and
11 removal of memorials, plaques, and other devices placed within the
12 right-of-way that commemorate the memory of a person killed in a
13 crash within the right-of-way of a highway.

14 Sec. 2. Original section 39-1359, Reissue Revised
15 Statutes of Nebraska, is repealed.